

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRANS-SPEC TRUCK SERVICE, INC.
d/b/a TRUCK SERVICE,

Plaintiff,

V.

CATERPILLAR INC.

Defendant.

CIVIL ACTION NO. 04-11836-RCL

JOINT MOTION FOR CONFIDENTIALITY ORDER

Pursuant to Fed. R. Civ. P. 26(c), the parties in the above-captioned matter hereby jointly move this Court to enter a confidentiality order in the form attached to this motion as Exhibit A.

In support of their motion, the parties state that:

1. This is a products liability case in which the discovery sought by the parties is likely to involve the production of documents and information containing business, competitive, proprietary, trade secret and witness testimony, which the parties believe must be kept confidential in order to prevent competitors from obtaining unfair competitive advantage.

2. The parties have agreed to enter into a confidentiality order to govern the production of documents and testimony that contains confidential information, and believe that the attached Stipulated Confidentiality Order will adequately protect all parties' legitimate confidentiality interests while facilitating full and efficient discovery of the relevant facts.

WHEREFORE, the parties request that the Court enter the attached Stipulated Confidentiality Order.

TRANS-SPEC TRUCK SERVICE INC.
D/B/A TRUCK SERVICE

By its Attorneys,

s/ Nancy M. Reimer

Nancy M. Reimer, Esq., BBO #555373
Christian G. Samito, Esq., BBO #639825
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Two Seaport Lane
Boston, MA 02210
(617) 406-4500

CATERPILLAR INC.

By its Attorneys,

s/ Christopher R. Howe

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LOCAL RULE 7.1 CERTIFICATE

I, Christopher R. Howe, attorney for the defendant, Caterpillar Inc., hereby certify that on March 28, 2005, all parties concurred in the relief sought by this motion.

s/ Christopher R. Howe

Christopher R. Howe

CERTIFICATE OF SERVICE

I, Christopher R. Howe, attorney for the defendant, Caterpillar Inc., hereby certify that on March 28, 2005, I served the above document by causing a copy to be mailed, by first class mail, postage prepaid, to Christian G. Samito, Esquire and Nancy M. Reimer, Esquire, Donovan Hatem, LLP, Two Seaport Lane, Boston, MA 02210.

s/ Christopher R. Howe

Christopher R. Howe